

REMARKS/ARGUMENTS

The applicants thank the Examiner for his consideration of the application. Claims 1-3 and 24-29 are pending in the application.

Double Patenting

Claims 1-3 have been rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-3 in U.S. Patent No. 6,464,667. The applicants note that a terminal disclaimer had previously been filed with the applicants' previous response of March 29, 2005. A copy of this terminal disclaimer is attached hereto. It is submitted that this terminal disclaimer fully addresses the double patenting rejection.

35 U.S.C. §§ 102 and 103

The Examiner objected to claim 26 as being dependent on a rejected base claim, and indicated it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 26 has accordingly been amended to include all the limitations from claim 23, the independent claim from which claim 26 directly depended. Claim 23 has been canceled, and claim 24 has been amended to make claim 24 and 25 depend from claim 26. Thus, claims 24-26 are now allowable.

Claim 26 requires that the liquid be caused to flow repeatedly back and forth between vial and the chamber. This requirement has also been added to independent claim 27. In light of this amendment, claims 27-29 also require causing the liquid to flow repeatedly back and forth between the vial and the cassette's chamber in addition to the other steps required by the claims. As these methods are not taught or suggested by the prior art, it is submitted that these claims are in condition for allowance.

Claim 1 has been amended to require that the chamber in the cassette is used to introduce liquid to different vials on different vial spikes. Pastrone uses separate chambers for the different vials and, indeed, uses separate cassettes for the different vials. It is therefore submitted that claim 1, as amended, as well as claims 2 and 3 depending therefrom, are neither anticipated nor suggested by Pastrone.

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The applicants have also canceled the claims that had been previously withdrawn from consideration.

CONCLUSION

The applicant submits a Supplemental Information Disclosure Statement herewith in accordance with 37 C.F.R. §1.97(c) and encloses a check in the amount of \$180.00 in accordance with 37 C.F.R. §1.17 (p). The applicants believe that no additional fees are due at this time. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972. All the claim rejections have been addressed. Reconsideration of the application and issuance of a notice of allowance are respectfully requested.

Respectfully submitted,



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